

## PROPOSED DISCOVERY PLAN/SCHEDULING ORDER

	<b>DONE</b>	<b>NOT APPLICABLE</b>	<b>DATE</b>
<b>A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE</b>			
1. Rule 26(f) Conference held	X		9/16/2020
2. Rule 26(a)(1) disclosures exchanged	X		11/23/2020
3. Requested:			
a. Medical records authorization		X	
b. Section 160.50 releases for arrest records		X	
c. Identification of John Doe/Jane Doe defendants		X	
4. Procedures for producing Electronically Stored Information (ESI) discussed			
5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website)	X		11/17/2020
<b>B. SETTLEMENT PLAN</b>			
1. Plaintiff to make settlement demand			TBD
2. Defendant to make settlement offer			TBD
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)			
4. Settlement Conference (proposed date)			TBD
<b>C. PROPOSED DEADLINES</b>			
1. Motion to join new parties or amend pleadings			8/9/2021
2. Initial documents requests and interrogatories			12/22/2020
3. All fact discovery to be completed (including disclosure of medical records)			10/8/2021
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			10/11/2021

5. Expert discovery (only if needed)		<i>Check here if not applicable</i> <input type="checkbox"/>	
Plaintiff expert proposed field(s) of expertise:		Damages, Reputational Harm, Industry Expert	
Defendant expert proposed field(s) of expertise:		Engineers to discuss feasibility and quality of Plaintiff's plans; Industry expectation and understanding of analyst reports	
	<b>DONE</b>	<b>NOT APPLICABLE</b>	<b>DATE</b>
a. Affirmative expert reports due			9/27/2021
b. Rebuttal expert reports due			10/18/2021
c. Depositions of experts to be completed			11/1/2021
6. Completion of ALL DISCOVERY (if different from C.3)			12/17/2021
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			1/28/2022
8. If any party seeks a <b>dispositive motion</b> , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			

#### **D. CONSENT TO MAGISTRATE JUDGE JURISDICTION**

1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. All parties consent to Magistrate Judge jurisdiction for trial?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

#### **E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY**

1. Motion for collective action certification in FLSA cases			
a. Response due			
b. Reply due			
2. Motion for Rule 23 class certification			
a. Response due			
b. Reply due			

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

*Peggy Kuo*

PEGGY KUO

United States Magistrate Judge

May 6, 2021

Date